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11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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14 **ROSARIO MARINELLO,**

15 Plaintiff,

16 v.  
17 **CALIFORNIA DEPARTMENT OF  
18 CORRECTIONS AND  
19 REHABILITATION,**

20 Defendant.

21 Case No. 08-0664-JW

22 **[PROPOSED] ORDER GRANTING  
23 STIPULATED REQUEST TO  
24 CONTINUE LAST HEARING DATE  
25 FOR DISPOSITIVE MOTIONS**

26 On June 15, 2009, this Court issued a minute order setting an anticipated date for hearing  
27 Defendant's Motion for Summary Judgment on October 26, 2009, at 9 a.m. On June 16, 2009,  
28 this Court issued a further order that the last date for hearing dispositive motions is October 26,  
2009 at 9 a.m.

29 After reviewing the Stipulated Request to Continue Last Hearing Date for Dispositive  
30 Motions, and supporting declaration thereof, the Court ORDERS as follow:

31 (1) The last date for hearing dispositive motions is continued from October 26, 2009,  
32 9 a.m., to **November 16, 2009 at 9 a.m.** the parties shall file their motions in accordance with the  
33 Civil Local Rules of Court.

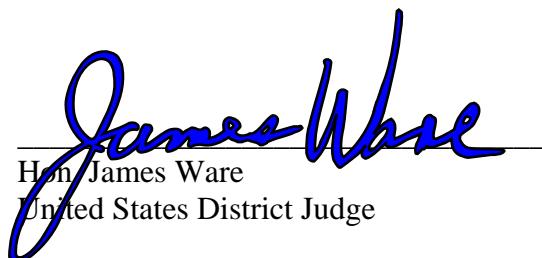
34 (2) The anticipated date for Defendant's Motion for Summary Judgment previously

1 set by the Court for October 26, 2009, at 9 a.m., is continued to **November 16, 2009 at 9 a.m.**

2 (3) The Case Management Conference set for October 26, 2009, at 10 a.m. is  
3 continued to **November 16, 2009 at 10 am.** The parties shall file a Joint Case Management  
4 Statement on or before **November 6, 2009.** The parties' Statement shall address, among other  
5 things, the parties' settlement efforts and plan for proceeding with the remainder of the case.  
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7 This is the parties' final continuance.  
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9 Dated: October 2, 2009  
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Hon. James Ware  
United States District Judge

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**United States District Court**  
For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 David Pai, David.Pai@doj.ca.gov

3  
4 Rosario Marinello  
266 Reservation Rd. #f-232  
5 Marina, CA 93933

6 **Dated: October 2, 2009**

7 **Richard W. Wiking, Clerk**

8 **By: /s/ JW Chambers**  
9 **Elizabeth Garcia**  
10 **Courtroom Deputy**